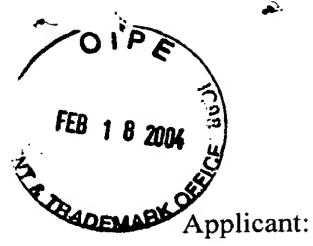
Atty. Dkt. No. 078728-0106



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Joseph ROBERTS et al.

Title:

CLONING, OVEREXPRESSION AND THERAPEUTIC USE OF BIOACTIVE HISTIDINE AMMONIA LYASE

Appl. No.:

09/833,745

Appl. Filing Date:

4/13/2001

Examiner:

Patterson, Charles L. Jr.

Art Unit:

1652

## REQUEST FOR CONTINUED EXAMINATION (RCE) **TRANSMITTAL**

Mail Stop RCE Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Ť

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

- 1. Submission required under 37 C.F.R. §1.114: (check items that apply)
  - a. Previously submitted:
  - Please enter and consider the amendment/reply previously filed on [X]January 20, 2004.
  - Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_ but not considered.
  - Please consider the arguments in the Appeal Brief or Reply Brief under 37 [] C.F.R. § 1.116 previously filed on \_\_\_.

02/19/2004 SSITHIB1 00000139 09833745

01 FC:1801 02 FC:1253

770.00 OP

530.00 OP

[]	Other
b. End	closed are:
[]	Amendment/Reply.
[]	Affidavit(s)/Declaration(s).
[]	Information Disclosure Statement.
[]	Form PTO-1449 with copies of listed reference(s).
[ ]	Other

## Miscellaneous:

[ ] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_ months.

## The filing fee is calculated below:

	Claims as Amended		Previously Paid For	,	Extra Claims Present		Rate		Fee Totals
RCE Fee 1.17(e):							\$770.00	=	\$770.00
Total Claims:	14	-	24	=	0	x	\$18.00	=	\$0.00
Independents	4	-	5	=	0	x	\$86.00	=	\$0.00
First p	resentation o	of an	y Multiple	Dep	endent Claims:	+	\$290.00	=	\$0.00
					CLAIMS	FEE	TOTAL:	_	\$770.00

[X] Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

\$0.00	0	\$110.00	Extension for response filed within the first month:	[]
\$0.00		: \$420.00	Extension for response filed within the second month:	[]
\$950.00		\$950.00	Extension for response filed within the third month:	[ <b>X</b> ]
\$0.00		\$1,480.00	Extension for response filed within the fourth month:	[]
\$0.00		\$2,010.00	Extension for response filed within the fifth month:	[]
\$950.00		UBTOTAL:	EXTENSION FEE SU	
\$420.00	-	ADY PAID:	EXTENSION FEE ALREA	
\$530.00	,	EE TOTAL	EXTENSION FI	
\$1300.00		EE TOTAL:	CLAIMS AND EXTENSION FE	
\$0.00		½ of above):	Small Entity Fees Apply (subtract ½	[]
\$0.00		R. § 1.103(c)	Suspension of action requested under 37 C.F.R	[]
\$1300.00		OTAL FEE:	TO	

- [X] A check in the amount of \$1300.00 to cover the filing fee and third-month extension of time fee is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

**FOLEY & LARDNER** 

Customer Number: 22428

Telephone: Facsimile:

(202) 672-5404

(202) 672-5399

Stephen A. Bent

Attorney for Applicant Registration No. 29,768